

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAYMOND NG and QIFENG CHEN,

Defendants.

CASE NO. CR20-0172-JCC

ORDER

This matter comes before the Court on Defendants' unopposed motion to continue trial (Dkt. No. 59). Having thoroughly considered the briefing and the relevant record, the Court hereby GRANTS the motion for the reasons explained herein.

Defendants are charged by indictment with conspiracy to manufacture and distribute marijuana. (*See* Dkt. No. 1.) Trial is currently scheduled for June 28, 2021. (Dkt. No. 48.) Defendants ask the Court to continue the trial to November 29, 2021 because they need additional time to adequately prepare for trial. (Dkt. No. 59 at 1.) Discovery produced in this case includes more than 65,000 pages of documents and records, over 48 terabytes of pole camera video recordings, more than 140 gigabytes of non-pole camera video recordings, thousands of photographs, and numerous financial records and e-mail messages. (*Id.* at 2.) Defendants indicate that while defense counsel has been diligently working to review these materials, discuss them with their clients, conduct necessary investigation, and otherwise prepare

1 their clients' defenses, they need additional time to complete this process. (*Id.*) Moreover, the
2 limited jail access caused by the pandemic has made it difficult for counsel for Mr. Ng to
3 communicate with his attorney. (*Id.* at 2–3.)

4 Having thoroughly considered the briefing and the relevant record, the Court FINDS that
5 the ends of justice served by a granting a continuance outweigh the best interests of Defendants
6 and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

- 7 1. Taking into account the exercise of due diligence, the failure to grant a continuance
8 would deny counsel for Defendants the reasonable time necessary for effective
9 preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a
10 miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i).
- 11 2. The period of delay is necessary for Defendants to adequately prepare for trial,
12 investigate the matter, gather evidence material to the defense, and consider possible
13 defenses.

14 Accordingly, the Court ORDERS:

- 15 1. The June 28, 2021 jury trial is CONTINUED to November 29, 2021 at 9:30 a.m.
- 16 2. The pretrial motions deadline is CONTINUED to October 21, 2021.
- 17 3. The period from the date of this order until November 29, 2021 is an excludable time
18 period under 18 U.S.C. § 3161(h)(7)(A).

19 DATED this 5th day of April 2021.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE